

United States District Court
Southern District of Texas**ENTERED**

October 02, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DENNIS WAYNE JOHNSON,

Plaintiff,

V.

MARTIN O'MALLEY,

Defendant.

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CIVIL ACTION NO. 2:23-CV-00255

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 12). The M&R recommends that the Court grant Plaintiff's motion, deny Defendant's motion, and reverse and remand the case for further consideration. *Id.* at 14–15. The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no objection has been filed, the district court need only determine whether the M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam). Having reviewed the proposed findings and conclusions of the Magistrate Judge, the parties' filings, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 12). Accordingly, the Court **ORDERS** that Plaintiff's motion, (D.E. 7), is **GRANTED**, Defendant's motion, (D.E. 8), is **DENIED**, and the Commissioner's denial of disability benefits is **REVERSED** and **REMANDED**.

SO ORDERED.


DAVID S. MORALES
UNITED STATES DISTRICT JUDGEDated: Corpus Christi, Texas
October 2nd, 2024